

REMARKS/ARGUMENTS

Claims 1, 3 and 7-29 are pending in this application.

I. Allowable Subject Matter

The Examiner is thanked for the indication that claims 17-21 and 22-27 are allowed, and that claims 7-16 would be allowable if rewritten in independent form. However, for the reasons set forth below, claims 7-16 have not been rewritten in independent form at this time.

II. Rejection Under 35 U.S.C. §103(a)

The Office Action rejects claims 1, 3, 28 and 29 under 35 U.S.C. §103(a) over U.S. Patent No. 4,741,353 to Milocco in view of U.S. Patent No. 2,018,769 to Tryon. The rejection is respectfully traversed.

Independent claim 1 is directed to a dishwasher that includes a pump that pumps water stored in a sump provided under a washing chamber. Independent claim 1 recites a supply pipe adjacent to one side of the pump, wherein the water pumped by the pump flows in the supply pipe, and upper and lower pipes leading the water to top and bottom nozzles, respectively. Independent claim 1 also recites a valve assembly connecting the supply pipe to the upper and lower pipes to selectively open/close the upper or lower pipe using a pressure of the pumped water, wherein the valve assembly comprises a first guide portion and a second guide portion that are coupled together to form a valve assembly housing which is separate from the pump. Milocco neither discloses nor suggests at least such features, or the claimed combination of features.

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Milocco discloses a washing machine, including a sump 7 provided at a bottom of a wash tub 6, and a pump 8 coupled to the sump 7. A delivery side 10 of the pump 8 provides water to a pair of sprinkling vanes 11 and 12 through corresponding ducts 13 and 14. A flow distribution valve 15 is positioned between the supply side 10 of the pump 8 and inlets into the ducts 13, 14 to control a flow of water into the vanes 11, 12. A closing element 18 moves within the valve 15 from a stable, unblocking position when the pump 8 is idle (see Figure 2 of Milocco) to a position blocking an outlet 16 of the valve 15 which leads into the duct 14 when the pump is first operated (see Figure 3 of Milocco) to supply water to the vane 11. When the pump 8 stops, the closing element 18 moves to and is held in an unstable, unblocking position due to the backwards flow of water accumulated in the duct 14 through a bypass passage 20 (see Figure 4 of Milocco). When the pump 8 is powered again, the closing element 18 moves to a position blocking an outlet 17 of the valve 15 leading into the duct 13, allowing water to flow through the outlet 16 into the duct 14 and to the vane 12 (see Figure 5 of Milocco).

It appears the Examiner has drawn a comparison between the ducts 13, 14 disclosed by Milocco and the supply pipe and upper and lower pipes recited in independent claim 1. However, if such comparison is to be made, then Milocco neither discloses nor suggests a valve assembly as recited in independent claim 1. More specifically, the recited valve assembly connects the supply pipe to the upper and lower pipe so as to selectively open/close the upper or lower pipe. In contrast, if the first duct 14 is to be considered both a supply pipe and an upper pipe which leads water to the top vane 12, then the supply pipe and upper pipe are clearly

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considered a single element (the duct 14), with no additional elements connecting them. Likewise, if the second duct 13 is to be considered both a supply pipe and a lower pipe which leads water to the bottom vane 11, then the supply pipe and lower pipe are also considered a single element (the duct 13), with no additional elements connecting them. Thus, the valve 15 cannot possibly connect the supply pipe to the upper pipe or to the lower pipe, as does the valve assembly recited in independent claim 1.

Further, as acknowledged in the Office Action, Milocco neither discloses nor suggests that the valve 15 includes a first guide portion and a second guide portion, nor that such first and second guide portions form a valve assembly housing, as recited in independent claim 1. Further, Tryon is merely cited as allegedly teaching such first and second guide portions, and thus fails to overcome the deficiencies of Milocco.

Accordingly, it is respectfully submitted that independent claim 1 is allowable over the applied combination, and thus the rejection of independent claim 1 under 35 U.S.C. §103(a) over Milocco and Tryon should be withdrawn. Dependent claims 3, 28 and 29 are allowable at least for the reasons set forth above with respect to independent claim 1, from which they depend, as well as for their added features.

III. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes

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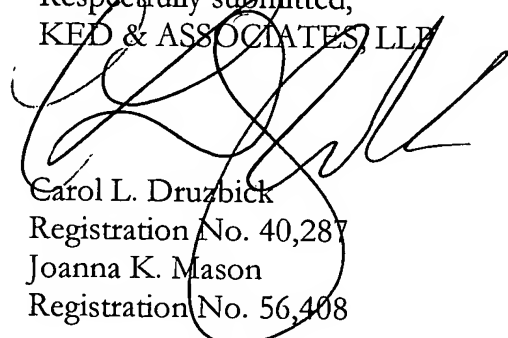
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would place the application in better condition for allowance, the Examiner is invited to contact the undersigned, **Joanna K. Mason**, at the telephone number listed below.

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
KED & ASSOCIATES, LLP



Carol L. Druzbeck
Registration No. 40,287
Joanna K. Mason
Registration No. 56,408

P.O. Box 221200
Chantilly, Virginia 20153-1200
703 766-3777 JCE/JKM/lhd

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Please direct all correspondence to Customer Number 34610